

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CRIMINAL DOCKET NO. 1:03CR5

UNITED STATES OF AMERICA

vs.

RAY LEE CASON

ORDER

**THIS MATTER** is before the Court on the Government's motion to destroy evidence introduced during the Defendant's trial.

Because proceedings in this matter have not concluded, *i.e.*, Defendant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, the motion is premature.

**IT IS, THEREFORE, ORDERED** that the Government's motion to destroy evidence is **DENIED WITHOUT PREJUDICE**.

Signed: September 13, 2007



Lacy H. Thornburg  
United States District Judge

